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| <b>69-209</b> | <b>PENALTIES FOR FAILURE OR REFUSAL TO ACCEPT EMPLOYABILITY SERVICES OR EMPLOYMENT</b> | <b>69-209</b> |
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- .1 The individual who is no longer exempt in an RCA assistance unit shall be ineligible for RCA benefits until he/she has registered with the employment/training programs or EDD and participates in the employment services within 30 days of receipt of aid. Other nonexempt individuals in the assistance unit who fail or refuse to register shall be ineligible for RCA benefits.
- .2 When, without good cause, an employable nonexempt RCA recipient has refused or failed to meet or comply with the requirements of Sections 69-207.1 and .2, and Sections 69-208.7, .71, and .8, the CWD shall deny or terminate assistance.
- .3 Except as provided in Section 69-207.11, a noncomplying recipient shall be ineligible for RCA benefits for three payment months for the first occurrence and six payment months for subsequent occurrences from the date of discontinuance for refusal or failure to comply without good cause. Aid continues to the rest of the assistance unit if the members are otherwise eligible.
  - .31 The noncomplying refugee may request restoration of assistance at any time after the termination of assistance because of refusal or failure to comply. The effective date of restoration, however, shall be no earlier than the day after the completion of the penalty period.
  - .32 If the noncomplying refugee is a caretaker relative, assistance in the form of protective payments will be provided to the remaining members of the assistance unit in accordance with CalWORKs regulations, MPP Sections 42-721.46 and .461.
- .4 Notice of Intended Termination
  - .41 In cases of proposed action to reduce, suspend, or terminate assistance, the CWD shall give timely and adequate notice in accordance with Section 69-210.
  - .42 The CWD shall provide written procedures in English and in appropriate languages, in accordance with requirements in Section 69-205.23, for the determination of good cause, the sanctioning of refugees who do not comply with the requirements of the program, and for the filing of appeals by refugees.
  - .43 In addition to the requirements in Section 69-210, the written notice shall include:
    - .431 An explanation of the reason for the action and the proposed adverse consequences; and
    - .432 Notice of the recipient's right to a hearing.
  - .44 The CWD shall send or provide a written notice in English and a written translated notice, or a verbal translation of the notice, in accordance with Section 69-210.1, (Notices), to a refugee at least 10 days before the date upon which the action is to become effective.

NOTE: Authority cited: Section 10554, Welfare and Institutions Code. Reference: 45 CFR 400.54; 45 CFR 400.55; 45 CFR 400.82; 45 CFR 400.83(a)(2); 45 CFR 400.211; and Federal Register dated September 1, 1983, 68 FR 46089.